

## REMARKS/ARGUMENTS

Applicants amended certain of the claims to overcome the Examiner's objections to informalities in the claims.

I. Claims 1-3, 5-11, 21-25, 33-35, and 37-43 are Patentable Over the Cited Art

The Examiner rejected claims 1-3, 5-11, 21-25, 33-35, and 37-43 as anticipated (35 U.S.C. §102(c)) by Berenson (U.S. Patent Pub. No. 2001/0049617). Applicants traverse with respect to the amended claims.

Amended claims 1, 21, and 33 concern a wireless device to provide information on a scheduled event in a personal information manager (PIM) application, wherein the wireless device performs: receiving a code provided with a promotion of a promoted event sponsored by a third party entity; transmitting the received code to a server including a calendar database having personal calendar information for the user of the transmitting wireless device including scheduled event records, wherein the server maintains an association of promoted event codes with third party entities sponsoring the promoted events, and wherein the received code is provided from a source external to the server; receiving from the server a scheduled event record including information on the promoted event associated with the code; and rendering calendar information from the calendar database at the wireless device including information on the scheduled event included in the scheduled event record.

Applicants amended these claims to recite that the received code is provided with a promotion of a promoted event. This added requirement is disclosed on at least pg. 17, lines 14-20; pg. 20, lines 15-28; and pg. 21, lines 19-22 of the Specification.

Applicants further amended the claims to recite that the calendar database has personal calendar information for the user. This added requirement is disclosed on at least FIG. 10 and pg. 17, line 26 to pg. 18, line 10, pg. 18, line 23 to pg. 19, line 1 of the Specification which discloses that the server 504 has a PIM database 522, and that the scheduled event is added to the user records 50 in the PIM database (FIG. 2). Page 7, lines 3-7 of the Specifications discloses that the PIM database maintains user PIM or personal information manager information.

Applicants further amended the claims to recite that the received code is provided from a source external to the server to which the received code is transmitted. This added requirement is disclosed on at least pg. 17, lines 14-21, pg. 21, lines 19-27.

Applicants further amended the claims to recite that the calendar information rendered at the wireless device is from the calendar database at the server.

Applicants amended claim 33 to add the transmitter system element to the preamble.

The Examiner cited para. [0027] of Berenson as disclosing the pre-amended claim requirement of receiving the code. (Third Office Action, pg. 3) Applicants traverse with respect to the amended limitation that recites receiving a code provided with a promotion of a promoted event sponsored by a third party entity.

The cited para. [0027] mentions that a user may request event messages by requesting a reminder for a particular broadcast program by following a link from the public events schedule or by entering the particular event in a search request query. The second way to request event messages is by entering an event criteria request. The event message requests from either method are stored in the user database, and are sent at an appropriate time.

Although the cited para. [0027] discusses how the user may request an event message for an event, nowhere does the cited para. [0027] disclose receiving a code provided with a promotion of a promoted event sponsored by a third party entity. There is no mention in the cited para. [0027] of a user of a wireless device receiving a code provided with a promotion of a promoted event. Instead, the user specifies event messages to receive by entering the particular event or providing an event criteria to receive event messages for events that match the entered criteria.

The Examiner cited para. [0029] of Berenson as disclosing the claim requirement of transmitting the received code, which is amended to recite that the server includes a calendar database having personal calendar information for the user of the transmitting wireless device including scheduled event records. Further, this limitation now requires that the received code is provided from a source external to the server. (Third Office Action, p. 3) Applicants traverse.

The cited para. [0029] mentions that criteria requests are handled by the system. The user searches having criteria are used to generate reminders for events stored in the system. At the appropriate time, defined by the calendaring system, the reminder for the event is sent to the user in an event message.

The cited para. [0029] discusses a calendar program for the event listing service. For instance, para. [0024] mentions that the user may request that the calendaring system remind the user when a certain program is to broadcast. The cited para. [0025] mentions that the

calendar system is shown in FIG. 3, where raw event data 300 is sent to a staging processor 302 and sent to an event database 304. The user may view event data in the event database 304 and store user information in a user database 308.

The claims require that the user PIM transmit the received code to a server including a calendar database having personal calendar information for the user. The cited calendaring system of Berenson concerns an event calendaring system to provide users information on events as part of an event listing service based on requests they enter. Thus, the cited para. [0029] has the user request an event from an event calendaring system. This does not satisfy the claim requirement of transmitting the received code to a server including a calendar database having personal calendar information for the user because the cited calendaring system is an event calendaring system that provides users information on events as part of an event listing service, not personal calendar information as claimed.

This distinction is further emphasized by the mention in para. [0024] of Berenson that the user may request that the calendaring system schedule the broadcast into the user's electronic calendar. Thus, the cited event calendaring system is different from the user's personal calendaring system because the cited para. [0025] makes the distinction that the user sends the request for the event to a system having the event calendaring system, but not a server having a calendar database having personal calendaring information as claimed. Thus, the Examiner has not cited any part of Berenson that discloses the user transmitting a received code, provided with a promotion of a promoted event, to a server including a calendar database having personal calendar information for the user.

The claims further require the added requirement that the received code is provided from a source external to the server. The Examiner has not cited any part of Berenson that discloses that the promotion code the user receives and transmits is from a source external to the calendaring system of Berenson.

Claims 2, 3, 5-11, 22-25, 34-35, and 37-43 are patentable over the cited art because they depend from one of claims 1, 21, and 33, which are patentable over the cited art for the reasons discussed above. Moreover, claims 5, 22, and 37 provide additional grounds of patentability over the cited art for the following reasons.

Amended claims 5, 22, and 37 depend from claims 1, 21, and 33 and further recite that information on the scheduled event record is displayed with the calendar information at the wireless device as a non-committed event.

Applicants amended these claims to remove the phrase on shadowed scheduled event records.

The Examiner cited para. [0024] of Berenson as disclosing the additional requirements of these claims. (Third Office Action, pg. 3) Applicants traverse.

The cited para. [0024] mentions that the user may request that the calendaring system remind the user when a certain program is to be broadcast or even to schedule the broadcast of the program into the user's electronic calendar. The user may also request that the calendaring system notify the viewer programs matching certain user selected event criteria are scheduled to be broadcast. The event criteria may have different criteria.

Nowhere does the cited para. [0024] anywhere disclose that the event record is displayed with calendar information as a non-committed event. The cited para. [0024] nowhere discloses or mentions displaying events as non-committed. Instead, the cited para. [0024] discusses how the user may view programs matching the selected criteria.

Accordingly, claims 5, 22, and 37 provide additional grounds of patentability over the cited art because the additional requirements of these claims are not disclosed in the cited Berenson.

Amended independent claims 8, 23, and 30 concern a server providing scheduled events for users of wireless devices, wherein the wireless devices are capable of displaying calendar information on scheduled events, and require: maintaining an association of codes with promoted events sponsored by third party entities, wherein the received code is provided to the user of the wireless device from a source external to the server and provided with a promotion of a promoted event sponsored by a third party entity; maintaining a calendar database having personal information for the users of the wireless devices; receiving a code associated with one promoted event sponsored by one third party entity transmitted from the wireless device; determining a scheduled event record including information on the promoted event corresponding to the received code; and adding the determined schedule event record to the calendar database for the user of the wireless device that transmitted the code; adding the determined schedule event record to the calendar database for the user of the wireless device that

transmitted the code; and transmitting the determined scheduled event record to the wireless device that transmitted the code, wherein the wireless device is capable of rendering calendar information including information on the scheduled event included in the transmitted scheduled event record.

Applicants amended claims 8, 23, and 40 to include the requirement of maintaining a calendar database having personal information for the users of the wireless devices. This added requirement is disclosed on at least FIG. 10 and pg. 17, line 26 to pg. 18, line 10, pg. 18, line 23 to pg. 19, line 1 of the Specification which discloses that the server 504 has a PIM database 522, and that the scheduled event is added to the user records 50 in the PIM database (FIG. 2). Page 7, lines 3-7 of the Specifications discloses that the PIM database maintains user PIM or personal information manager information.

Applicants further amended the claims to require that the received code is provided to the user of the wireless device from a source external to the server and that is provided with a promotion of a promoted event sponsored by a third party entity. These added requirements were also added to claims 1, 21, and 33 as discussed above.

Applicants further amended these claims to require adding the determined schedule event record to the calendar database for the user of the wireless device that transmitted the code. This added requirement is disclosed on at least pg. 18, lines 27-28 of the Specification.

Applicants submit that the Examiner has not cited any part of Berenson that discloses the added claim requirement that the server, or calendaring system of Berenson (FIG. 3), that maintains the association of codes with promoted events sponsored by a third part also maintains a calendar database having personal information for the users of the wireless devices.

The Examiner cited para. [0027] with respect to the preamended version of the receiving code limitation. The claims now require that the codes are provided to the users of the wireless devices from a source external to the server and with a promotion of a promoted event sponsored by a third party entity.

The cited para. [0027] mentions that a user may request event messages by requesting a reminder for a particular broadcast program by following a link from the public events schedule or by entering the particular event in a search request query. The second way to request event messages is by entering an event criteria request. The event message requests from either method are stored in the user database, and are sent at an appropriate time.

Nowhere does this cited para. [0027] anywhere disclose that the code is provided to the user of the wireless device from a source external to the server and with a promotion of a promoted event sponsored by a third party entity. In fact, the cited Berenson appears to teach away from this requirement that the codes associated with scheduled events are from a source external to the server because according to para. [0024] the user requests the calendaring system to remind the user when a certain program is to be broadcast.

Further, the Examiner has not cited any part of Berenson that discloses the added requirement of adding the determined schedule event record to the calendar database for the user of the wireless device that transmitted the code, where the calendar database is maintained at the server.

Accordingly, Applicants submit that amended claims 8, 23, and 40 are patentable over the cited art because the cited Berenson does not disclose all the claim requirements.

Claims 9-11, 24, 25, 34, 35 and 41-43 are patentable over the cited art because they depend from one of claims 8, 23, and 40. Further, the additional requirements of these dependent claims in combination with the base claims provide further grounds of patentability over the cited art.

2. Claims 4 and 36 are Patentable Over the Cited Art

The Examiner rejected claims 4 and 36 as obvious (35 U.S.C. §103(a)) over Berenson in view of an article referenced as “Extended Systems”. (Third Office Action, pg. 5)

Claims 4 and 36 are patentable over the cited art because they depend from base claims 1 and 33, which are patentable over the cited art for the reasons discussed above.

3. Claims 12, 26, and 44 are Patentable Over the Cited Art

The Examiner rejected claims 12, 26, and 44 as obvious (35 U.S.C. §103(a)) over Berenson in view of Ciarlante (U.S Patent No. 6,532,488). (Third Office Action, pg. 6)

Claims 12, 26, and 44 are patentable over the cited art because they depend from base claims, which are patentable over the cited art for the reasons discussed above.

4. Claims 13-17, 20, 27-29, 32, 45-49, and 52 are Patentable Over the Cited Art

The Examiner rejected claims 13-16, 27, 28, and 45-48 as obvious (35 U.S.C. § 103(a)) over Blants in view of Myllymaki (U.S. Pub. No. 2002/0049617). Applicants traverse.

Applicants note that Myllymaki comprises prior art under 35 U.S.C. § 102(e) because it was filed prior to the filing date of the present application and because it was published after the filing date of the present application. Applicants traverse the obviousness rejection under 35 U.S.C. § 103(c) because prior art under 35 U.S.C. § 102(e), such as Myllymaki, cannot be applied in an obviousness rejection against this application because Myllymaki was commonly owned at the time of the invention of the present application. Applicants submit herewith the declaration of attorney of record Marilyn Dawkins stating that at the time of the invention of the present application, Myllymaki was owned by the common assignee International Business Machines Corp. Applicants submit that this declaration provides the evidence required to establish common ownership according to MPEP 706.02(l)(2).

For these reasons, Applicants request that the Examiner withdraw these obviousness rejections and allow these claims.

Applicants amended claims 13, 17, 29, and 49 to clarify the antecedent basis of the “user of the transmitting wireless device” element.

Applicants amended claims 17, 29, and 49 to recite “a user of the wireless device”.

Applicants amended claim 49 to add the wireless devices elements to the preamble of the claim.

Applicants further amended claim 45 to provide antecedent basis for the server and transmitter system elements in the preamble.

Conclusion

For all the above reasons, Applicant submits that the pending claims 1-17, 19-29, 31-49, 51, and 52 are patentable over the art of record. Applicants have not added any claims. Applicants submit herewith the fee for the petition for extension of time. Should any additional fees be required, please charge Deposit Account No. 09-0447.

\\

\\

\\

The attorney of record invites the Examiner to contact him at (310) 553-7977 if the Examiner believes such contact would advance the prosecution of the case.

Dated: July 19, 2006

By: /David Victor/

David W. Victor  
Registration No. 39,867

Please direct all correspondences to:

David Victor  
Konrad Raynes & Victor, LLP  
315 South Beverly Drive, Ste. 210  
Beverly Hills, CA 90212  
Tel: 310-553-7977  
Fax: 310-556-7984